

Remarks

Claims 1-23, 25-36, 38-49 and 52-55 are pending in the application and are subject to restriction and/or election requirement under 35 USC 121.

By the enclosed Amendment, Claims 1-55 have been cancelled and replaced by claims 56-80.

Applicant's election will apply to new claims 56-80, instead of cancelled claims 1-55.

Applicants elect, without traverse, the invention of Group I, claims 57-77 drawn to compositions comprising a DPP-IV inhibitor.

Applicants' representative gratefully thanks the Examiner for the telephone interview on September 8, 2009, in which the Examiner explained the election of species in paragraph 13.

In accordance with the restriction requirement, Applicants make the following species elections:

- a. a DDP-IV inhibitor which is a DPP-IV inhibitor which is (S)-1-[(3-hydroxy-1-adamantyl)amino]acetyl-2-cyano-pyrrolidine, readable upon claims 57-77.
- b. Not applicable
- c. at least 60% of the particle size distribution in the tablet is less than 250 μm , readable upon claims 57-77.
- d. a single tablet thickness to weight ratio of 0.002, readable upon claims 56-58.
- e. a single water content of less than 5%, readable upon claims 58 and 60.
- f. Not applicable
- g. a direct compressed tablet, readable upon claims 57-77.

Examination on the merits and allowance of claims 57-77 is respectfully requested.

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Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Joseph Majka", is written over a horizontal line.

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